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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,043	10/12/2000	TATSUYA ICHIKAWA	EITCP004TP	1124

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EXAMINER

GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/02/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/687,043

Applicant(s)

ICHIKAWA ET AL.

Examiner

Gabriel I Garcia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Harvey et al. (6,519,568).

With regard to claim 1, Harvey et al. teaches a system for printing images (e.g. fig. 3) comprising: a server computer (39 and/or 111) including: memory (inherently reads on server 39 and/or 111, which stores graphics and data to be deliver electronically) that stores data representing a plurality of images (e.g. images such as graphics); a server web interface (112) that enables communication over the internet (see figs 1-7); an image print application (see figs 9b,10,18 and/or 19) that enables images to be printed using a client computer connected to said server web interface over the internet (see figs. 3 and/or 9a); an image enhancement module that enhances an image for printing (see figs. 16-19, which depicts how a user can manipulate or edit data); a printer (40); a

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client computer (35) connected to said printer (40), said client computer including a client web interface (inherently reads on fig. 35) that enables communication over the internet; a print driver that generates image data representing images for printing by said printer (see fig. 3 and col. 3, lines 13-17 and col. 6, lines 36-52); said server computer including a web server responsive to a print request from said client computer for sending image data and enhancement module to said client computer and activating said image print application to create print commands for said print driver, and to create enhanced image data in said client computer with said image enhancement module prior to printing to print said enhanced image data (see figs. 1-19) and to remove said enhanced image data from said client computer immediately following printing (e.g. col. 12, lines 35-58).

With regard to claims 2-3, Harvey et al. teaches wherein said image print application is written in device independent code and is sent by the server computer to said computer in response to a print request from the client computer, and wherein said image enhancement module is written in device independent code (see figs. 1-7 and col. 11, lines 15-20 and col. 14, lines 2-9).

With regard to claims 4-11, the limitations of claims 4-11 are covered by the limitations of claims 1-3 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Blackman (6,665,573) teaches a system and method for matching a creative expression with an order for goods.

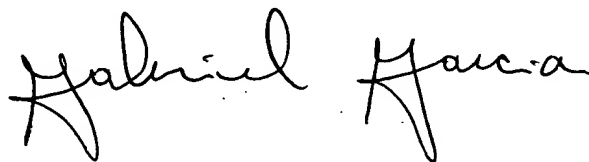
Hall et al. (6,665,090) teaches a system and method for creating and printing a creative expression.

Coutts et al. (6,311,165) teaches a transaction processing system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Gabriel I. Garcia** whose telephone number is (703) 305-8751. The examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for faxes for this group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-0377.

**Gabriel I. Garcia**  
**Primary Examiner**  
**June 24, 2004**

A handwritten signature in black ink, appearing to read 'Gabriel Garcia', written in a cursive style.

**GABRIEL GARCIA**  
**PRIMARY EXAMINER**